
STATUTORY INSTRUMENTS

2007 No. 459

**The Gambling Act 2005 (Premises Licences
and Provisional Statements) Regulations 2007**

PART 3

Notice of application and period for representations

Notice of application

12.—(1) Subject to paragraph (2) a person making an application (other than a fast track application) must give notice of the application to each of the authorities which in accordance with section 157 are the responsible authorities in relation to the premises to which the application relates.

(2) Where the application is for the transfer or reinstatement of a premises licence, the applicant must give notice of his application only to the authorities mentioned in paragraphs (a), (b), (c), (h) and (i) of section 157.

(3) Subject to paragraphs (10) and (11), a notice under paragraph (1) must be in the form specified in—

- (a) Part 1 of Schedule 6, where the application is for a premises licence;
- (b) Part 3 of that Schedule, where the application is to vary a premises licence;
- (c) Part 5 of that Schedule, where the application is to transfer a premises licence;
- (d) Part 6 of that Schedule, where the application is for the reinstatement of a premises licence; and
- (e) Part 7 of that Schedule, where the application is for a provisional statement.

(4) A notice under paragraph (1) must be given within a period of 7 days beginning on the date on which the application is made.

(5) Paragraph (6) applies where a person has made an application—

- (a) under section 159 for a premises licence (other than where the application is a fast track application),
- (b) under section 187 to vary a premises licence, or
- (c) under section 204 for a provisional statement.

(6) Where this paragraph applies the applicant must publish notice of his application—

- (a) in a local newspaper or, if there is none, a local newsletter, circular or similar document, circulating within the licensing authority's area on at least one occasion during the period of ten working days starting with the day after the day on which the application is made to the authority; and
- (b) by displaying a notice on the premises to which the application relates—
 - (i) in a place at which it can conveniently be read by members of the public from the exterior of the premises;

(ii) for a period of no less than 28 consecutive days starting on the day on which the application is made to the licensing authority.

(7) Paragraph (8) applies in a case where—

- (a) the application is for a provisional statement in respect of premises, and
- (b) the premises have not been constructed, or the applicant does not have the right to occupy the premises, on the date on which the application is made.

(8) In any case to which this paragraph applies, paragraph (6)(b)(i) is to have effect as if it required the applicant to display the notice at a place—

- (a) which is as near as reasonably practicable to the premises or proposed premises, and
- (b) where it can conveniently be read by members of the public.

(9) Subject to paragraphs (10) and (11), a notice under sub-paragraph (a) or (b) of paragraph (6) is to be in the form specified in—

- (a) Part 2 of Schedule 6, where the application is for a premises licence;
- (b) Part 4 of that Schedule, where the application is to vary a premises licence; and
- (c) Part 8 of that Schedule, where the application is for a provisional statement.

(10) Where matters are included in square brackets in any form in Schedule 6, they are intended to indicate and explain the information to be specified in the notice to which the form relates, and are not required to be included in the notice.

(11) The first page of a notice given or published under this regulation may include any symbol or logo which is commonly used by the licensing authority to identify documents produced by it.

(12) In this regulation, “fast track application” means an application for a premises licence to which paragraph 57 of Schedule 4 to the Commencement and Transitional Provisions Order (which modifies Part 8 of the Act in its application to certain applications for a converted premises licence) applies.